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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,365	03/31/2004	Omar Habib Khan	24207-10084	7766
62296	7590	03/13/2007	EXAMINER DAYE, CHELCIE L.	
GOOGLE / FENWICK SILICON VALLEY CENTER 801 CALIFORNIA ST. MOUNTAIN VIEW, CA 94041			ART UNIT 2161	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/814,365	KHAN ET AL.	
	Examiner Chelcie Daye	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 February 2007.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13, 15, 16, 19-33 and 36-42 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-13, 15-16, 19-33, and 36-42 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is issued in response to applicant's amendment filed February 02, 2007.
2. Claims 1-42 are presented. Claims 37-42 are added and claims 14,17-18, and 34-35 are cancelled.
3. Claims 1-13,15-16,19-33, and 36-42 are pending.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-7,10-11,15,19-27,30, and 36-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Patent No. 7,007,085) filed March 29, 2002, in view of Bharat (US Patent No. 6,112,203) filed April 9, 1998.**

Regarding Claims 1 and 20, Malik discloses a method comprising:  
identifying an event associated with an article (column 9, lines 36-40, Malik);  
identifying a named entity within the event (column 9, lines 40-54, Malik).  
However, Malik is silent with respect to determining a weight to associate with the named entity based at least in part on frequency of the named entity within a

data store. On the other hand, Bharat discloses determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store (column 7, lines 10-38, Bharat). Malik and Bharat are analogous art because they are from the same field of endeavor of the management of information. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Bharat's teachings into the Malik system. A skilled artisan would have been motivated to combine as suggested by column 5, lines 31-37, in order to selectively perform content analysis, so that only information that represents the most influential documents are considered in the outcome. As a result, reducing the effect of unrelated information and allowing for a meaningful ranking of results to be presented to the user in a timely manner. Therefore, the combination of Malik in view of Bharat, disclose creating an implicit search query based at least in part on the named entity (columns 11-12, lines 64-67 and 1-8, respectively, Malik) and the associated weight (column 4, lines 37-40, Bharat).

Regarding Claims 2 and 21, the combination of Malik in view of Bharat, disclose the method further comprising determining a list of named entities (column 8, lines 21-34, Malik).

Regarding Claims 3 and 22, the combination of Malik in view of Bharat, disclose the method wherein identifying the named entity within the event

comprises identifying an entity in the event that matches an entity in the list of named entities (column 14, lines 33-53, Malik).

Regarding Claims 4 and 24, the combination of Malik in view of Bharat, disclose the method wherein determining the list of named entities comprises monitoring instant messaging traffic (column 8, lines 14-20, Malik).

Regarding Claims 5 and 25, the combination of Malik in view of Bharat, disclose the method wherein determining the list of named entities comprises analyzing an email data store (column 8, lines 14-20, Malik).

Regarding Claims 6 and 26, the combination of Malik in view of Bharat, disclose the method wherein determining the list of named entities comprises analyzing a directory structure (column 12, lines 44-61, Malik).

Regarding Claims 7 and 27, the combination of Malik in view of Bharat, disclose the method wherein determining the list of named entities comprises searching a contact list (column 12, lines 44-61, Malik).

Regarding Claim 10, the combination of Malik in view of Bharat, disclose the method wherein the named entity comprises one of an email address, an instant messaging name, and a proper noun (Fig.2; column 8, lines 14-34, Malik).

Regarding Claims 11 and 23, the combination of Malik in view of Bharat, disclose the method further comprising storing the named entity in a user profile (column 11, lines 38-63, Malik).

Regarding Claims 15 and 30, the combination of Malik in view of Bharat, disclose the method further comprising:

receiving a result set associated with the implicit search query (column 4, lines 9-22, Bharat); and  
outputting the result set (column 4, lines 40-44, Bharat).

Regarding Claims 19 and 36, the combination of Malik in view of Bharat, disclose a method comprising:

receiving an event (column 9, lines 36-40, Malik);  
identifying a named entity in the event (column 9, lines 40-54, Malik);  
determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store (column 7, lines 10-38, Bharat);  
creating an implicit query based at least in part on the named entity (columns 11-12, lines 64-67 and 1-8, respectively, Malik) and the associated weight (column 4, lines 37-40, Bharat);

transmitting the implicit query to a search engine (column 4, lines 51-54, Bharat); and

receiving a result set from the search engine, the result set comprising one or more article identifiers (column 4, lines 9-22, Bharat); and responsive to an associated score exceeding a threshold, outputting the one or more article identifiers (column 4, lines 40-44, Bharat).

Regarding Claims 37 and 40, the combination of Malik in view of Bharat, disclose the method wherein frequency comprises an inverse document frequency of the named entity within the data store (column 7, lines 10-33, Bharat).

Regarding Claims 38 and 41, the combination of Malik in view of Bharat, disclose the method wherein frequency comprises a term frequency of the named entity within the data store (column 7, lines 25-31, Bharat).

Regarding Claims 39 and 42, the combination of Malik in view of Bharat, disclose the method wherein creating an implicit search query based at least in part on the named entity and the associated weight comprises focusing the implicit search query on a named entity with a higher associated weight more than a named entity with a lower associated weight (column 6, lines 1-28, Bharat).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 8-9,12-13,16,28-29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Patent No. 7,007,085) filed March 29, 2002, in view of Bharat (US Patent No. 6,112,203) filed April 9, 1998, and further in view of Maybury (US Patent No. 6,961,954) filed March 2, 1998.**

Regarding Claims 8 and 28, the combination of Malik in view of Bharat, disclose all of the claimed subject matter as stated above. However, the combination of Malik in view of Bharat, are silent with respect to the list of named entities comprises searching a news list. On the other hand, Maybury discloses searching a news list (column 16, lines 48-50, Maybury). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Maybury's teachings into the Malik in view of Bharat system. A skilled artisan would have been motivated to combine as suggested by Maybury at column 2, lines 41-53, in order to automatically summarize data representative of news information so that it may be visualized and searched in a manner which is compatible with popular browsing tools.

Regarding Claims 9 and 29, the combination of Malik in view of Bharat, and further in view of Maybury, disclose the method wherein determining the list of named entities comprises part of speech tagging (columns 10-11, liens 55-67 and 1-3, respectively, Maybury).

Regarding Claims 12 and 32, the combination of Malik in view of Bharat, and further in view of Maybury, disclose the method further comprising identifying a plurality of named entities for a name by using first name only, last name only, and combinations thereof (Fig.18; column 18, lines 4-9, Maybury).

Regarding Claims 13 and 33, the combination of Malik in view of Bharat, and further in view of Maybury, disclose the method further comprising filtering out at least one of the plurality of named entities having a high document frequency (DF) (column 16, lines 50-57, Maybury).

Regarding Claims 16 and 31 the combination of Malik in view of Bharat, and further in view of Maybury, disclose the method further comprising:  
receiving an interest signal associated with the named entity (column 16, lines 62-65, Maybury); and  
ranking the result set based at least in part on the interest signal (column 16, lines 65-67, Maybury).

***Other Prior Art Made of Record***

Cloutier et al. (US Patent No. 6,772,188) discloses a system and method for receiving an electronic communication containing an identifier or indicia of an entity and, in response to a user's selection of the identifier, initiating communication between the user and the entity.

***Response to Arguments***

Applicant's arguments with respect to newly amended claims 1,19,20, and 36, have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2161

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye  
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March 9, 2007

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